

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. KELLY. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 903, Ventris C. Gibson, of Virginia, to be Director of the Mint for a term of five years; that the Senate vote on the nomination without intervening action or debate; that the motion to reconsider be considered made and laid upon the table; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Ventris C. Gibson, of Virginia, to be Director of the Mint for a term of five years.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Gibson nomination?

The nomination is confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

JOINT CONSOLIDATION LOAN
SEPARATION ACT

Mr. KELLY. Mr. President, I ask unanimous consent that the Health, Education, Labor, and Pensions Committee be discharged from further consideration of S. 1098, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1098) to amend the Higher Education Act of 1965 to authorize borrowers to separate joint consolidation loans.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. KELLY. I ask unanimous consent that the Warner substitute amendment at the desk be agreed to; the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5097), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute)

At the appropriate place, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Joint Consolidation Loan Separation Act".

SEC. 2. SEPARATING JOINT CONSOLIDATION
LOANS.

(a) IN GENERAL.—Section 455(g) of the Higher Education Act of 1965 (20 U.S.C. 1087e(g)) is amended—

(1) by striking "A borrower" and inserting the following:

"(1) IN GENERAL.—A borrower"; and

(2) by adding at the end the following:

"(2) SEPARATING JOINT CONSOLIDATION LOANS.—

"(A) IN GENERAL.—

"(i) AUTHORIZATION.—A married couple, or 2 individuals who were previously a married couple, and who received a joint consolidation loan as such married couple under subparagraph (C) of section 428C(a)(3) (as such subparagraph was in effect on June 30, 2006), may apply to the Secretary, in accordance with subparagraph (C) of this paragraph, for each individual borrower in the married couple (or previously married couple) to receive a separate Federal Direct Consolidation Loan under this part.

"(ii) ELIGIBILITY FOR BORROWERS IN DEFAULT.—Notwithstanding any other provision of this Act, a married couple, or 2 individuals who were previously a married couple, who are in default on a joint consolidation loan may be eligible to receive a separate Federal Direct Consolidation Loan under this part in accordance with this paragraph.

"(B) SECRETARIAL REQUIREMENTS.—Notwithstanding section 428C(a)(3)(A) or any other provision of law, for each individual borrower who applies under subparagraph (A), the Secretary shall—

"(i) make a separate Federal Direct Consolidation Loan under this part that—

"(I) shall be for an amount equal to the product of—

"(aa) the unpaid principal and accrued unpaid interest of the joint consolidation loan (as of the date that is the day before such separate consolidation loan is made) and any outstanding charges and fees with respect to such loan; and

"(bb) the percentage of the joint consolidation loan attributable to the loans of the individual borrower for whom such separate consolidation loan is being made, as determined—

"(AA) on the basis of the loan obligations of such borrower with respect to such joint consolidation loan (as of the date such joint consolidation loan was made); or

"(BB) in the case in which both borrowers request, on the basis of proportions outlined in a divorce decree, court order, or settlement agreement; and

"(II) has the same rate of interest as the joint consolidation loan (as of the date that is the day before such separate consolidation loan is made); and

"(ii) in a timely manner, notify each individual borrower that the joint consolidation loan had been repaid and of the terms and conditions of their new loans.

"(C) APPLICATION FOR SEPARATE DIRECT CONSOLIDATION LOAN.—

"(i) JOINT APPLICATION.—Except as provided in clause (ii), to receive separate consolidation loans under this part, both individual borrowers in a married couple (or previously married couple) shall jointly apply under subparagraph (A).

"(ii) SEPARATE APPLICATION.—An individual borrower in a married couple (or previously married couple) may apply for a separate consolidation loan under subparagraph (A) separately and without regard to whether or when the other individual borrower in the married couple (or previously married couple) applies under subparagraph (A), in a case in which—

"(I) the individual borrower certifies to the Secretary that such borrower—

"(aa) has experienced an act of domestic violence (as defined in section 40002 of the Violence Against Women Act of 1994 (34 U.S.C. 12291) from the other individual borrower;

"(bb) has experienced economic abuse (as defined in section 40002 of the Violence Against Women Act of 1994 (34 U.S.C. 12291) from the other individual borrower; or

"(cc) is unable to reasonably reach or access the loan information of the other individual borrower; or

"(II) the Secretary determines that authorizing each individual borrower to apply separately under subparagraph (A) would be in the best fiscal interests of the Federal Government.

"(iii) REMAINING OBLIGATION FROM SEPARATE APPLICATION.—In the case of an individual borrower who receives a separate consolidation loan due to the circumstances described in clause (ii), the other non-applying individual borrower shall become solely liable for the remaining balance of the joint consolidation loan."

(b) CONFORMING AMENDMENT.—Section 428C(a)(3)(B)(i)(V) of the Higher Education Act of 1965 (20 U.S.C. 1078-3(3)(B)(i)(V)) is amended—

(1) by striking "or" at the end of item (bb);

(2) by striking the period at the end of item (cc) and inserting "; or"; and

(3) by adding at the end the following:

"(dd) for the purpose of separating a joint consolidation loan into 2 separate Federal Direct Consolidation Loans under section 455(g)(2)."

The bill (S. 1098), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

RESOLUTIONS SUBMITTED TODAY

Mr. KELLY. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, introduced earlier today: S. Res. 679, S. Res. 680, and S. Res. 681.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. KELLY. I ask unanimous consent that the resolutions be agreed to; the preambles be agreed to; and that the motions to reconsider be considered made and laid upon the table, all en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

UNANIMOUS CONSENT
AGREEMENT—H.R. 1057

Mr. KELLY. Mr. President, I ask unanimous consent that if the Senate receives a message from the House that it has passed H.R. 1057, and if the text of H.R. 1057 as passed is identical to S. 1596, that at a time to be determined by the majority leader or his designee, in consultation with the Republican leader, the bill be considered read a

third time and the Senate vote on passage of the bill, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

VOTE EXPLANATION

Mr. HAWLEY. Mr. President, had there been a recorded vote, I would have voted nay on the confirmations of Executive Calendar No. 990, Joshua D. Hurwit, of Idaho, to be United States Attorney for the District of Idaho for the term of four years; Executive Calendar No. 991, Gerard M. Karam, of Pennsylvania, to be United States Attorney for the Middle District of Pennsylvania for the term of four years; and Executive Calendar No. 992, Jacqueline C. Romero, of Pennsylvania, to be United States Attorney for the Eastern District of Pennsylvania for the term of four years.

ADDITIONAL STATEMENTS

120TH ANNIVERSARY OF GAYLORD SPECIALTY HEALTHCARE

• Mr. BLUMENTHAL. Mr. President, today, I rise to recognize Gaylord Specialty Healthcare as it celebrates 120 years of outstanding service in Connecticut. Throughout its existence, Gaylord has changed with the healthcare needs of the people of Connecticut and indeed across the Nation, while maintaining a reputation for excellence and superior professionalism.

The health system was first founded in 1902 as a tuberculosis sanatorium. Gaylord Sanatorium provided long-term treatment for half a century when the disease was endemic, treating patients including playwright Eugene O'Neill. In 1926, the U.S. Public Health Laboratory National Research Committee selected Gaylord's facilities as the first they used in the country. In 1948, Gaylord Farm Sanatorium was renamed to Gaylord Hospital, restructuring to treat people with chronic illnesses. By 1954, Gaylord Hospital became the first hospital in New England to specialize in comprehensive rehabilitation.

Today, Gaylord Specialty Healthcare is an extensive health system across the State of Connecticut that focuses exclusively on medical rehabilitation. The hospital in Wallingford is a leading center for rehabilitation, and it is one of only two long-term acute care hospitals in the world—and the only one in the United States. Gaylord received certification from the Commission on Accreditation of Rehabilitation Facilities in recognition of its outstanding patient care. They offer an extensive breadth of treatment and accreditation opportunities. Gaylord is further certified by the Joint Commission and the

American Association of Cardiovascular and Pulmonary Rehabilitation thanks to its exemplary standards.

I have had the privilege of visiting Gaylord Hospital on a number of occasions. This April, I was proud to join members of their staff to celebrate their new physical medicine and rehabilitation physicians residency program, made possible thanks to \$1.2 million in Federal funding. This program will be the first of its kind in Connecticut, and it will play a critical role in ensuring our State has sufficient resources for specialty medical professionals. Having spoken with staff and patients at Gaylord, I can attest firsthand to the extraordinary care, compassion, and expertise demonstrated there. Gaylord Hospital's work is a credit to our State.

As Gaylord Hospital celebrates its anniversary this October, I applaud them on their extraordinary record of accomplishment. I hope my colleagues will join me in congratulating Gaylord Specialty Healthcare on 120 years of excellence. •

REMEMBERING STEPHEN "STEVE" H. SACHS

• Mr. CARDIN. Mr. President, next Tuesday, June 21, there will be a memorial service to honor Stephen H. Sachs, who died on January 12 at his home in Baltimore at the age of 87. Steve Sachs was U.S. Attorney for Maryland for 3 years and Maryland's Attorney General for two terms. He was one of the finest lawyers in the Nation—a proud son of Maryland, a proud son of Baltimore. He was an indefatigable, ever optimistic Orioles fan. He had a brilliant intellect and a sparkling sense of humor.

Steve was born in Baltimore on January 31, 1934. His father was director of the Baltimore Jewish Council and a labor arbitrator, and his mother was a homemaker. Steve received a bachelor's degree in 1954 from Haverford College and then served in the Army from 1955 to 1957. He received a Fulbright scholarship to study at the University of Oxford in England. He received his law degree from Yale Law School in 1960. He worked as a prosecutor in the U.S. Attorney's Office for the District of Maryland. In 1967, then-President Lyndon Johnson appointed Steve as the U.S. Attorney for the District of Maryland, a position he held until 1970.

Steve prosecuted cases involving white-collar crime and public corruption. In 1968, he prosecuted Vietnam war protesters known as the Catonsville Nine, Roman Catholic anti-war activists who broke into the Selective Service office in Catonsville, MD, in an attempt to destroy draft records. It was a high-profile case. The Rev. Daniel Berrigan and his brother, the Rev. Philip Berrigan, led activists on a raid at Draft Board 33 in Catonsville. Steve secured a guilty verdict in Federal

court for destroying government property.

Fifty years later, in a retrospective article in the "Baltimore Sun", Steve wrote with a searing honesty, "I believed then, and believe now, that the nine were brave men and women who acted out of a conviction that the war in Vietnam was profoundly evil. But I believed then, and I believe now, that the conduct of the nine—particularly their insistence that their action at Catonsville should have been condoned because they were 'right'—offends both the rule of law and a fundamental tenet of the American democracy." I think that statement captures Steve's character perfectly.

Steve was in private practice from 1970 to 1978 when he ran an outsider campaign to become Maryland's Attorney General. He didn't align himself with any gubernatorial candidate, which had been the practice. He stated, "The attorney general should be independent. The attorney general should be the people's lawyer." After several public corruption scandals, Marylanders appreciated Steve's unquestioned integrity and were receptive to his activist, reform-oriented campaign. He served two terms as Attorney General and practically reinvented the position. He established a strong Consumer Protection Division within the Office of Attorney General that assisted Marylanders against corporate abuse. As the State's Attorney General, he argued three cases before the U.S. Supreme Court—and won all three. Steve's 8 years as Attorney General overlapped with my service as speaker of the house of delegates, where I had the benefit of Steven's excellent counsel.

In 1986, Steve decided to run for Governor, but he lost the Democratic primary to then-Baltimore mayor William Donald Schaefer. After that defeat, Steve returned to private practice as a partner in the Washington, DC, office of Wilmer-Hale, then known as Wilmer, Cutler & Pickering. He retired from the firm in 1999.

Steve's political career may have officially "ended" when he was just 52, but over the years, he became an elder statesman of Maryland politics. As his former colleagues at Wilmer-Hale said, "Steve was an elegant writer, a powerful advocate and an extremely accomplished trial lawyer. He was a generous partner, colleague and mentor. He taught a generation of lawyers how to write a brief, take a deposition and try a case . . . He was a mensch."

Steve's passion for justice never waned. After he retired from Wilmer-Hale, he joined the Public Justice Center, where he had a significant impact on the development of the center's Appellate Advocacy Project. Steve was a passionate advocate of the civil right to counsel movement, helping to establish the National Coalition for a Civil Right to Counsel. In 2008, then-Maryland Governor Martin O'Malley appointed Steve to head an independent